



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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Internet: <http://www.fcc.gov>
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DA 07-493

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CONSUMER & GOVERNMENTAL AFFAIRS BUREAU ACTION

REQUEST FOR EXEMPTION FROM COMMISSION'S CLOSED CAPTIONING RULES

CG Docket No. 06-181

File No. CGB-CC-0659

New Life Empowerment Temple has filed a petition for exemption from the closed captioning requirements, found in section 79.1 of the Commission's rules, 47 C.F.R. § 79.1, for its programming. New Life Empowerment Temple claims that compliance would impose an undue burden, as defined in section 79.1(f) of the Commission's rules, 47 C.F.R. § 79.1(f).

Comments on and oppositions to this petition are due 30 days from the date of this public notice. Replies to these comments and oppositions are due 20 days after the comments/oppositions deadline. See 47 C.F.R. § 1.4 for particulars regarding filing deadlines.

Ex Parte Presentations. Unless otherwise provided, requests for waiver of the Commission's rules are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Because of the policy implications and potential impact of the collective proceedings in CG Docket No. 06-181 on persons not necessarily party to each individual petition for exemption, we have found that it would be in the public interest to treat CG Docket No. 06-181 as a permit-but-disclose proceeding under the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200(a) and 1.1206; *Consumer and Governmental Affairs Bureau Action: Extension of Comment Period on Petitions for Exemption from Commission's Closed Captioning Rules; Ex Parte Treatment of Filings In Docket*, CG Docket No. 06-181, Public Notice, DA 06-2329 (rel. Nov. 21, 2006). All *ex parte* filings and contacts associated with New Life Empowerment Temple's petition for exemption shall comport with the Commission's rules for permit-but-disclose proceedings. See *id.* Therefore, *ex parte* presentations will be permitted but must be disclosed in accordance with the requirements of section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. See *id.* Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.

Filing Instructions -

Any filing related to New Life Empowerment Temple's petition must reference **CG Docket No. 06-181** as well as case identifier **CGB-CC-0659**.

Comments, oppositions, replies, and *ex parte* letters may be filed electronically through the Commission's Electronic Comment Filing System (ECFS) at http://gulfoss2.fcc.gov/prod/ecfs/upload_v2.cgi. Key 06-181 in box 1 labeled "Proceeding"; click on "comment," "opposition," "reply," or "letter," as appropriate, in box 12 labeled "Document Type"; and key 0659 in box 13 labeled "File Number." Be sure to follow all other directions on the page.

If filing paper copies, an original and two (2) copies of all comments, oppositions, and replies must be filed with the Commission. Parties making *ex parte* presentations must comply with section 1.1206 of the Commission's rules. Filings can be sent by hand or messenger delivery, commercial overnight courier, or by first class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, Attn: CGB Room 3-B431.

* The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

* Commercial overnight mail (other than U.S. Postal Service, Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

* U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

In addition, comments and oppositions filed must include a certification that they have been served on the petitioner. All comments and oppositions must be served on petitioner at:

New Life Empowerment Temple
P.O. Box 72093
Richmond, VA 23255

If New Life Empowerment Temple wishes to reply to comments or oppositions, replies are due 20 days after the comments/oppositions deadline and must be filed in accordance with the above filing instructions. In addition, replies shall be served on the commenting or opposing party and shall include a certification that the commenter was served with a copy.

All comments, oppositions, and replies must contain a detailed, full showing, supported by affidavit, of any facts or considerations relied upon.

The petition is available for public inspection in the Commission's Reference Information Center:

445 12th Street, S.W.
Washington, D.C. 20554
202-418-0270

The petition, comments, oppositions, replies, *ex parte* presentations, and this Public Notice can be found through ECFS at http://gulfoss2.fcc.gov/prod/ecfs/comsrch_v2.cgi. To access them, key 06-181 in box 1 labeled "Proceeding" and 0659 in box 10 labeled "File Number/Community," and click on the Retrieve

Document List button at the bottom. This Public Notice also can be found at http://www.fcc.gov/cgb/dro/caption_exemptions.html.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Consumer and Governmental Affairs Bureau Contact: Michael Jacobs (202) 418-2859 (voice), (202) 418-8233 (TTY); e-mail Michael.jacobs@fcc.gov.

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